



Secretary of State Jason Kander
Election Review
May 1, 2015

City of Kinloch – 2015 Municipal Election

Background

On January 7, 2014, March 23, 2015, and April 25, 2015, the Secretary of State's Office received complaints regarding the City of Kinloch and its local elections.

The first complaint alleged that the city refused to call an election or open candidate filing in 2014.

The Secretary of State's Office received a second complaint in 2015, in advance of

the municipal election, which alleged that several individuals were improperly registered to vote within the Kinloch city limits.

After the election, the Secretary of State's Office received a third complaint regarding the legality of the incumbent city government refusing to seat the newly elected officials.

Results

All complaints concerning Kinloch were referred to local law enforcement as the proper authority for investigating and prosecuting potential election law violations. In addition, the complaints were referred to the St. Louis County Board of Elections ("the Board") who investigated the allegations of improper voter registration.

Because the January 7, 2014 complaint pertained to a municipality allegedly failing to call an election, the Secretary of State's Office referred the first complaint to the St. Louis County Prosecuting

Attorney for further action on January 31, 2014.

With regard to the complaint received on March 23, 2015 alleging that several individuals improperly registered to vote within the Kinloch city limits, the Secretary of State's Office contacted the St. Louis County Board of Elections. The Board decided to pursue an investigation by conducting a selected canvass within Kinloch following the April 2015 municipal election. Their findings were presented to the St. Louis County Prosecuting Attorney.

Under Missouri law, Section 115.191, RSMo, each local election authority possesses the authority to investigate voter registration qualifications, including residency. How such an investigation is conducted is within the discretion of the local election authority. Local election authorities are also required to conduct voter canvasses every two years to ensure accurate voter registration records under Section 115.179, RSMo. Finally, Missouri law, Section 115.135, RSMo, entitles a person

to register to vote only in the jurisdiction within which he or she resides.

The Secretary of State's Office referred the March 23, 2015 and April 25, 2015 complaints to the St. Louis County Prosecuting Attorney on May 5, 2015 as one pertained to an alleged violation of election law and one pertained to the legality of the city's actions regarding the newly elected officials. These referrals informed the prosecuting attorney of the allegations and requested he take any action that they deemed appropriate.